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FISCAL IMPACT REPORT

SPONSOR Moore DATE TYPED 1/27/2004 HB 10

SHORT TITLE Regulation and Licensing Law Officers SB _____

ANALYST Aguilar

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	NFI		Indeterminate		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Regulation and Licensing Department (RLD)
Attorney General

SUMMARY

Synopsis of Bill

House Bill 10 provides the RLD superintendent with authority to employ law enforcement personnel as appropriate, subject to proper certification pursuant to the law enforcement training act.

Significant Issues

RLD reports that this bill will allow law enforcement personnel who are employed by RLD, in an investigative capacity, to maintain their law enforcement credentials while they are employed by RLD, as long as they keep their law enforcement training current. Without this commission authority, certified employees stand to lose their certification simply because there is not mechanism in place to allow such personnel to be commissioned by the agency that employs them.

The department also notes that law enforcement personnel employed by RLD will have the authority to cite individuals who violate statutes, rules and regulations that fall under the scope of RLD; however, such individuals will not have arrest authority. The authority granted by the Superintendent's commission will include filing criminal complaints in magistrate courts, conducting criminal background checks and investigations and obtaining warrants, when necessary, as they pertain to the implementation, enforcement and application of statutes, rules and regulations under the governance of RLD.

FISCAL IMPLICATIONS

While HB 10 allows for the employment of law enforcement officers, no provision is made in the agency budget for the initial cost of sending new employees to the law enforcement academy if necessary or for ongoing training expenses.

TECHNICAL ISSUES

Consideration should be given to including language that limits the arrest capacity of these law enforcement personnel if that is the intent of the legislation as noted by RLD

PA/yr